

**OFFICIAL TRANSCRIPT OF PROCEEDINGS
BEFORE THE RECEIVED
POSTAL REGULATORY COMMISSION**

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POSTAL REGULATORY
COMMISSION
OFFICE OF THE SECRETARY

In the Matter of:)
RATE AND SERVICE CHANGES TO)
IMPLEMENT BASELINE NEGOTIATED)
SERVICE AGREEMENT WITH LIFE)
LINE SCREENING)

Docket No.: MC2007-5

Volume #1

Volume: 1
Pages: 1 through 8
Place: Washington, D.C.
Date: September 10, 2007

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POSTAL REGULATORY COMMISSION

In the Matter of:)
)
RATE AND SERVICE CHANGES TO) Docket No.: MC2007-5
IMPLEMENT BASELINE NEGOTIATED)
SERVICE AGREEMENT WITH LIFE)
LINE SCREENING)

Suite 200
Postal Regulatory Commission
901 New York Avenue, N.W.
Washington, D.C.

Volume 1
Monday, September 10, 2007

The above-entitled matter came on for hearing,
pursuant to notice, at 9:59 a.m.

BEFORE: DAN G. BLAIR, CHAIRMAN
DAWN A. TISDALE, VICE CHAIRMAN
MARK ACTON, COMMISSIONER
TONY L. HAMMOND, COMMISSIONER

APPEARANCES:

On behalf of the United States Postal Service:

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APPEARANCES: (Cont'd.)

On behalf of the Office of the Consumer Advocate:

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On behalf of American Postal Workers' Union, AFL-CIO:

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P R O C E E D I N G S

(9:59 a.m.)

CHAIRMAN BLAIR: Good morning. This is a prehearing conference in Docket No. MC2007-5, considering the request of the United States Postal Service for approval of a baseline negotiated service agreement with Life Line Screening. The requested agreement would provide volume discounts for standard mail letters.

I'm Dan Blair, Chairman of the Postal Regulatory Commission, and with me this morning are Vice Chairman Tisdale and Commissioners Acton and Hammond.

At this point, I would like to ask counsel to identify themselves for the record, to begin with the United States Postal Service.

MS. REED: Good morning, Mr. Chairman. Elizabeth Reed on behalf of the Postal Service. With me today is Rachel Hull. She is a new attorney in our office.

CHAIRMAN BLAIR: And it's Rachel Hull? Welcome, Rachel.

For Life Line Screening?

MR. VOLNER: Good morning, Mr. Chairman and members of the Commission. Ian Volner and Matt Field

1 for Life Line Screening.

2 CHAIRMAN BLAIR: Thank you, Mr. Volner.

3 Anyone here representing the American Postal
4 Workers Union?

5 MS. WOOD: Jennifer Wood, representing the
6 Postal Workers.

7 CHAIRMAN BLAIR: Thank you, Jennifer.

8 For Office of Consumer Advocate?

9 MR. COSTICH: Thank you, Mr. Chairman. Rand
10 Costich for the OCA.

11 CHAIRMAN BLAIR: Thank you, Mr. Costich.

12 Is anyone in the audience today representing
13 Pitney-Bowes?

14 (No response.)

15 CHAIRMAN BLAIR: Is Mr. David Popkin
16 present?

17 (No response.)

18 CHAIRMAN BLAIR: Anyone representing Valpak
19 Dealers Association and Valpak Direct Marketing
20 Systems?

21 (No response.)

22 CHAIRMAN BLAIR: Is there anyone I've
23 missed?

24 (No response.)

25 CHAIRMAN BLAIR: On that point, the Postal

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1 Service has filed a motion suggesting the issues in
2 this case could be limited. Comments regarding the
3 Postal Service's motion on limitation were due this
4 past Friday.

5 The Postal Service pleading identified
6 several possible issues that it believes have been
7 resolved in past cases. It suggests argument be
8 restricted in this case to matters the Commission's
9 rules identify as always at issue.

10 The Office of Consumer Advocate filed a
11 notice that it was actively engaged in discovery and
12 that after discovery was complete it might require
13 hearings. Mr. Costich, can you indicate how much
14 additional time you'll need for discovery?

15 MR. COSTICH: Well, as always, that depends
16 on the responses we get to our first round, but I
17 expect Life Line Screening will be cooperative and it
18 probably shouldn't take more than a couple more weeks.

19 CHAIRMAN BLAIR: Any way you can make that
20 as expeditious as possible would be greatly
21 appreciated.

22 MR. COSTICH: Certainly.

23 CHAIRMAN BLAIR: Does any other participant
24 intend to engage in discovery at this point?

25 (No response.)

1 CHAIRMAN BLAIR: If not, I will shortly
2 issue a prehearing schedule establishing a date for
3 participants to indicate whether as a result of
4 discovery hearings can be dispensed with. On that
5 same date, participants may also identify issues they
6 seek to pursue during the case. Does any participant
7 have a procedural matter to raise at this point?

8 MR. VOLNER: Mr. Chairman, if I may be heard
9 on this last point. What we would like to propose is
10 something similar to that which we did in the Bradford
11 case that was just before this Commission, and that is
12 we have no problem with granting the Intervenors an
13 additional two weeks to complete their first round of
14 discovery. We understand that followup is always
15 available.

16 But a week after that, we would like to
17 suggest as you have suggested, but to make it a little
18 bit more mandatory, that if any party wants a hearing,
19 they need to state that within one week after the
20 completion of the first round of discovery, and they
21 need to state the issues that they want to be
22 litigated or heard.

23 The reason I say that is we recognize this
24 is a baseline case. There are, however, as the Postal
25 Service has pointed out a number of issues that have

1 been litigated and decided, and there's nothing to be
2 gained by relitigating them. And quite frankly, some
3 of the interrogatories that Life Line Screening has
4 received raise questions of relevance that we will be
5 addressing as we respond.

6 But rather than face a situation where we
7 don't know what it is we are supposed to be hearing,
8 assuming that there is a hearing, we would like the
9 Commission to specifically direct the parties if they
10 ask for a hearing to state the issues with some
11 particularity that they intend to try.

12 CHAIRMAN BLAIR: Any other participant wish
13 to weigh in on this motion at this point?

14 (No response.)

15 CHAIRMAN BLAIR: Well, that will be taken
16 under advisement. We appreciate your request for
17 moving this case forward quickly. The Commission
18 itself has a desire to do so as well, so we will take
19 that under advisement. Again, I'll be issuing a
20 prehearing schedule establishing the dates shortly,
21 and there being nothing further, the conference is now
22 adjourned.

23 (Whereupon, at 10:05 a.m., the hearing in
24 the above-entitled matter was concluded.)

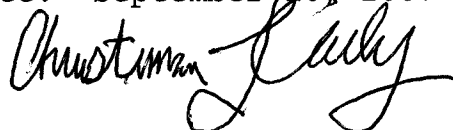
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REPORTER'S CERTIFICATE

DOCKET NO.: MC2007-5
CASE TITLE: Rate and Service Changes
HEARING DATE: September 10, 2007
LOCATION: Washington, D.C.

I hereby certify that the proceedings and evidence are contained fully and accurately on the tapes and notes reported by me at the hearing in the above case before the United States Postal Regulatory Commission.

Date: September 10, 2007



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